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Attorneys for Defendant Beacon Power Corporation

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

ARETE POWER, INC.,

Plaintiff,

vs.

BEACON POWER CORPORATION,

Defendant.

Case No. 07-5167 (WDB)

**STIPULATION AND ~~[PROPOSED]~~
ORDER FOR ONE EXTRA DAY TO
FILE JOINT CASE MANAGEMENT
STATEMENT**

Initial CMC: February 6, 2008, 1:30 p.m.

Hon. Magistrate Judge Wayne D. Brazil

The parties, by and through their respective counsel of record, stipulate and agree to request an order for a one-day extension of the filing deadline for the parties' Joint Case Management Conference Statement in advance of the Initial Case Management Conference

**STIPULATION AND ~~[PROPOSED]~~ ORDER FOR ONE EXTRA DAY TO FILE JOINT
CASE MANAGEMENT STATEMENT –
C 07-5167 (WDB)**

1 (scheduled for February 6, 2008 at 1:30 p.m.), such that the Statement shall now be due and filed
2 on **January 29, 2008**. This is the second stipulated request for an extension of time the parties
3 have filed in this case, ~~but the first stipulated extension regarding the parties' Joint Case~~
4 ~~Management Conference Statement.~~

5 On December 14, 2007, this Court issued a Notice (Docket No. 15) continuing the Initial
6 Case Management Conference to February 6, 2008 to coincide with the hearing on Defendant's
7 Motion to Transfer Venue (Docket Nos. 8, 10). That Notice requires a pre-conference joint
8 statement to be filed seven court days in advance of the conference, which is today, January 28,
9 2008. Due to traveling counsel, and to ensure the Joint Statement is as complete and productive
10 as possible, the parties have agreed to this Stipulation to a one-day filing extension through and
11 including tomorrow, January 29, 2008. All other deadlines currently set in the action shall
12 remain the same.

13 **SO STIPULATED.**

14
15 Dated: January 28, 2008

PLAINTIFF ARETE POWER, INC.

16
17 By its attorneys,

18 /s/ Michael J. Collins

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**STIPULATION AND [PROPOSED] ORDER FOR ONE EXTRA DAY TO FILE JOINT
CASE MANAGEMENT STATEMENT –
C 07-5167 (WDB)**

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Dated: January 28, 2008

DEFENDANT BEACON POWER CORPORATION

By its attorneys,

/s/ Nathaniel Bruno

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As the attorney e-filing this document, and pursuant to General Order No. 45, I hereby
attest the counsel whose signature is electronically inscribed above has concurred in the filing of
this document. /s/ Nathaniel Bruno

**STIPULATION AND [PROPOSED] ORDER FOR ONE EXTRA DAY TO FILE JOINT
CASE MANAGEMENT STATEMENT –
C 07-5167 (WDB)**

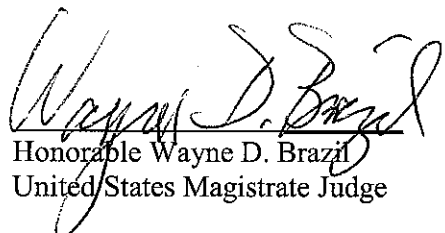
ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS HEREBY
ORDERED THAT:

The parties shall have through and including January 29, 2008 to file their Joint Case Management Conference Statement prior to the Initial Case Management Conference in this action.

SO ORDERED.

Dated: 1/29/08


Honorable Wayne D. Brazil
United States Magistrate Judge

**STIPULATION AND [PROPOSED] ORDER FOR ONE EXTRA DAY TO FILE JOINT
CASE MANAGEMENT STATEMENT –**

C 07-5167 (WDB)